

### **REMARKS/ARGUMENTS**

This Amendment is being submitted in response to the Office Action mailed on February 16, 2005, which replaced the Office Action issued on August 25, 2004. (The August 25<sup>th</sup> Office Action was issued relative to Claims 1-10, which were cancelled via the Preliminary Amendment filed on November 17, 2003. The undersigned attorney spoke to Examiner Fay via telephone on November 8, 2004. Examiner Fay indicated that the Office Action of August 25, 2004, would be withdrawn and that a new Office Action reflecting her examination of the claims submitted via the Preliminary Amendment would be issued.)

The specification of the application has been amended above in order to update Applicants' claim for priority.

The application has also been amended to include a new title reflecting the subject matter of the claims now pending in the application.

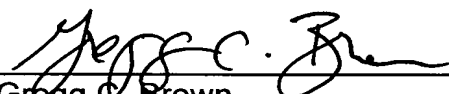
Claims 11-27 have been rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-18 of U.S. Patent No. 6,740,664. In response to this rejection, a Terminal Disclaimer is submitted with this Amendment. Submission of the Terminal Disclaimer is believed to overcome this rejection. Reconsideration of the foregoing rejection is therefore requested.

Claims 11-16 have been rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claim 6 of U.S. Patent No. 6,440,964. The accompanying Terminal Disclaimer is believed to eliminate the basis for this rejection. Reconsideration of the foregoing rejection is therefore requested.

In view of the foregoing amendments and the accompanying Terminal Disclaimer, the above-identified patent application is believed to be in condition for allowance. A notification to that effect is respectfully requested.

**Respectfully submitted,**  
ALCON RESEARCH, LTD.

6/16/05  
Date

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